

# Notice of Allowability

Application No.

10/747,829

Examiner

Robert Mosser

Applicant(s)

JOSHI, SHRIDHAR P.

Art Unit

3714

## -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 1-31-2005.
2. ☒ The allowed claim(s) is/are 94, 96-108, 110-111, 113-114, 116.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All b) ☐ Some\* c) ☐ None of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

### Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date \_\_\_\_\_
7. ☒ Examiner's Amendment/Comment
8. ☐ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

### EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Daniel J. Burnham on 9-1-2005.

The application has been amended as follows:

In claim number **106** please **insert** the "wherein said predetermined time is associated with a commonly known societal event and said second audio output having a theme that is indicative of said commonly known societal event" after the final use of the word "time" and prior to the period such that the amended claim reads as the following.

106. A gaming terminal, comprising:

an input device for receiving a wager input;

a memory device located within said gaming terminal and storing at least two audio data sets for producing a first audio output and a second audio output;

a display for displaying a randomly selected one of a plurality of outcomes in response to said wager input; and

an audio speaker for broadcasting audio output, said audio speaker broadcasting a said

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first audio output before a predetermined time and said second audio output after said predetermined time wherein said predetermined time is associated with a commonly known societal event and said second audio output having a theme that is indicative of said commonly known societal event.

In claim number **111** please **replace** the “predetermined time” in present claim lines 1-2 with “societal event” such that the amended claim reads as the following.

111. (Previously Presented) The gaming terminal of claim 106, wherein said societal event is a holiday selected from a group consisting of Valentine's Day, St. Patrick's Day, Mardi Gras, Easter, the 4<sup>th</sup> of July, Halloween, Thanksgiving, Christmas, New Year's Eve, and New Year's Day.

In claim number **113** please **insert** the word “period” after the word “time” on line 7 of the present claim and prior to the “being” on line 7.

In claim number **113** please **insert** the phrase “having a theme that is indicative of a commonly known societal event” after the word “output” and prior to the word “from” on line 6 of the present claim.

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In claim number **113** please **insert** the phrase "and associated with said commonly known societal event" after the word "time" and prior to the semicolon (;) on line 8 of the present claim so that the amended claim reads as the following.

113. (Currently Amended) A method of operating a wagering game at a gaming terminal, comprising:

storing a plurality of audio data sets in a memory device located within said gaming terminal, each of said plurality of audio data sets corresponding to a different audio output;

selectively broadcasting one of said audio outputs having a theme that is indicative of a commonly known societal event from audio speakers at said gaming terminal for a predetermined time period, said predetermined time period being a function of real time and associated with said commonly known societal event; and

after said predetermined time period, time selectively broadcasting another one of said audio outputs from said gaming terminal.

In claim number **116** please **replace** the "predetermined time" in present claim lines 1-2 with "societal event" such that the amended claim reads as the following.

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116. (Previously Presented) The method of claim 113, wherein said predetermined societal event is during a holiday and said one of said audio outputs is music associated with said holiday.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Robert Mosser whose telephone number is (571)-272-4451. The examiner can normally be reached on 8:30-4:30 Monday-Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jessica Harrison can be reached on (571)272-4449. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

REM



JESSICA HARRISON  
PRIMARY EXAMINER